

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 11-14, 19, 20, 32, and 33 are presently active in this case, Claims 11, 12, 19, 20, 32, and 33 having been amended by way of the present Amendment.

In the outstanding Official Action, Claims 11-13 were rejected under 35 U.S.C. 102(b) as being anticipated by Knapp et al. (U.S. Patent No. 5,685,938). Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over Knapp et al. in view of Bose et al. (U.S. Patent No. 4,952,441). For the reasons discussed below, the Applicants request the withdrawal of the art rejections of Claims 11-14.

Claim 11 of the present application advantageously recites a backing sheet for insulation including a backing sheet for insulation including a front side having an adherent material thereon, a back side, and a stapling tab extending along an edge of the backing sheet. The front side with the adherent material having a fiberglass sheet receiving portion. The stapling tab is defined as having a first portion of the back side positioned against a second portion of the back side. The backing sheet further includes a tacky substance bonding the first portion of the back side to the second portion of the back side.

The Applicants respectfully submit that the Knapp et al. reference does not disclose all of the limitations recited in Claim 11, and therefore does not anticipate Claim 11. More specifically, the Knapp et al. reference does not disclose a backing sheet with a front side with the adherent material having a fiberglass sheet receiving portion, and a stapling tab that is defined as having a first portion of the back side positioned against a second portion of the

back side and a tacky substance bonding the first portion of the back side to the second portion of the back side. In this configuration, the front side of the backing sheet has a fiberglass sheet receiving portion and the back side has a first portion that is bonded to a second portion of the back side by a tacky substance.

The Response to Arguments section of the Official Action states that “[t]he ‘second side’ in Knapp et al. is referred to the right side of the backing sheet and not the backside of the backing sheet.” Accordingly, the Applicants respectfully submit that the “first side” and the “second side” are being incorrectly interpreted as different portions of the same side of the backing sheet. Webster’s II New College Dictionary defines the term “side” as “either of the two surfaces of a flat object, as a piece of paper.” Accordingly, the Applicants submit that the interpretation of the claim language alluded to in the Response to Arguments section of the Official Action is improper. In order to expedite prosecution, the pending claims of the present application have been amended in a non-narrowing manner to recite a “front side” in place of the “first side” and a “back side” in place of the “second side.” The Applicants respectfully request the entry of the present amendment in order to reduce the issues on appeal.

As noted in previous Amendments, the Knapp et al. reference describes a paper sheet (32) that has a front side (an upper side as depicted in Figure 4) with a bituminous material (34) that adheres the front side of the paper sheet (32) to the lower surface of the glass fiber blanket (20). The paper sheet (32) also includes a back side (a lower side as depicted in Figure 4). However, contrary to the configuration recited in Claim 11 of the present application, the back side of the paper sheet (32) does not have a tacky substance anywhere

thereon. Claim 11 recites a stapling tab that is defined as having a first portion of the back side positioned against a second portion of the back side and a tacky substance bonding the first portion of the back side to the second portion of the back side. Such a configuration is not disclosed or suggested by the Knapp et al. reference.

Accordingly, the Applicants respectfully submit that Claim 11 is not anticipated by the Knapp et al. reference.

Claims 12-14 are considered allowable for the reasons advanced for Claim 11 from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed, taught, nor suggested by the applied references when those features are considered within the context of Claim 11.

Claims 19, 20, 32, and 33 were rejected under 35 U.S.C. 102(e) as being anticipated by Jorgenson et al. (U.S. Patent No. 5,713,885). For the reasons discussed below, the Applicants traverse the obviousness rejection.

Claim 19 of the present application advantageously recites a backing sheet for insulation including a front side having an adherent material thereon, a back side, and a stapling tab extending along an edge of the backing sheet. The stapling tab is defined as having a first portion of the back side positioned against a second portion of the back side. The backing sheet further includes at least one hole extending through the backing sheet such that a portion of the adherent material extends through the at least one hole and contacts the back side.

Firstly, it appears from the discussion of the Jorgenson et al. reference, that the “first side” and the “second side” of original Claim 19 were being incorrectly interpreted, for the

reasons discussed above with respect to Claim 11, as different portions (left and right portions) of the same side of the absorbent article described in the Jorgenson et al. reference. Accordingly, the Applicants submit that the clarification of the claim language further clarifies the distinctions between the invention recited in Claim 19 of the present application and the teachings of the Jorgenson et al. reference.

Secondly, the Official Action cites reference numeral 202 in Figure 10 for the teaching of an adherent material. However, the Applicants respectfully note that reference numeral 202 refers to a liquid-permeable cover, and does not refer to an adherent material. Furthermore, the Response to Arguments section of the Official Action states that “Jorgenson et al. does disclose that a portion of the adherent material (col. 7 lines 11-12) extends through at least one hole and contacts the second side of the backing sheet (figure 10 number 208). The section at column 7, lines 11-12, describes a liquid-permeable cover (126)(depicted in Figures 4-6) that can include apertures to allow fluid to pass through the cover and into the absorbent (102). The sanitary napkin (100) also has a liquid-impermeable baffle (108). The Jorgenson et al. reference does not disclose or suggest an adherent passing through the apertures in cover (126). And, the Jorgenson et al. reference clearly does not disclose a backing sheet including at least one hole extending through the backing sheet such that a portion of the adherent material extends through the at least one hole and contacts the back side of the backing sheet, as expressly recited in Claim 19. Accordingly, the Jorgenson et al. reference does not anticipate Claim 19.

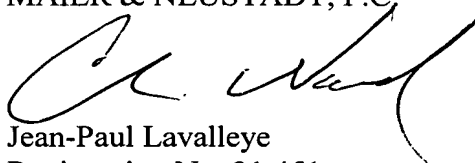
Claims 20, 32, and 33 are considered allowable for the reasons advanced for Claim 19 from which it depends. These claims are further considered allowable as they recite other

features of the invention that are neither disclosed, taught, nor suggested by the applied references when those features are considered within the context of Claim 19.

Consequently, in view of the above discussion, it is respectfully submitted that Claims 11-14, 19-20, and 32-33 are patentably distinguishing over the cited art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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IN THE CLAIMS

11. (Three Times Amended) A backing sheet for insulation, said backing sheet comprising:

a [first] front side having an adherent material thereon, said [first] front side with said adherent material having a fiberglass sheet receiving portion;

a [second] back side;

a stapling tab extending along an edge of said backing sheet, said stapling tab having a first portion of said [second] back side positioned against a second portion of said [second] back side; and

a tacky substance bonding said first portion of said [second] back side to said second portion of said [second] back side.

12. (Twice Amended) The backing sheet according to Claim 11, wherein said stapling tab comprises:

a first fold extending along an edge of said backing sheet, said first fold having a first portion of said [first] front side bonded to a second portion of said [first] front side by said adherent material; and

a second fold extending along the edge of said backing sheet contiguous with said first fold, said second fold having the first portion of said [second] back side positioned against the second portion of said [second] back side.

19. (Once Amended) A backing sheet for insulation, said backing sheet comprising:

a [first] front side having an adherent material thereon;

a [second] back side;

a stapling tab extending along an edge of said backing sheet, said stapling tab having a first portion of said [second] back side positioned against a second portion of said [second] back side; and

at least one hole extending through said backing sheet such that a portion of said adherent material extends through said at least one hole and contacts said [second] back side.

20. (Once Amended) The backing sheet according to Claim 19, wherein said stapling tab comprises:

a first fold extending along an edge of said backing sheet, said first fold having a first portion of said [first] front side positioned against a second portion of said [first] front side; and

a second fold extending along the edge of said backing sheet contiguous with said first fold, said second fold having said first portion of said [second] back side positioned against said second portion of said [second] back side.

32. (Once Amended) The backing sheet according to Claim 19, wherein said stapling tab comprises:

a first fold extending along an edge of said backing sheet, said first fold having a first portion of said [first] front side bonded to a second portion of said [first] front side by said adherent material.

33. (Once Amended) The backing sheet according to Claim 19, wherein said portion of said adherent material extending through said at least one hole bonds said first portion of said [second] back side to said second portion of said [second] back side.